



## Criminal Justice Reform

**R**eforming our criminal justice system is a high priority for the ACLU. Men and women in Montana’s jails and prisons and defendants unable to afford attorneys depend on us to fight for their rights.

Overincarceration is an issue of particular concern. The “War on Drugs” created unreasonably harsh sentences for drug offenses, placing ever-greater numbers of people in prison for ever-longer periods of time. Mandatory sentences removed judges’ ability to use common sense in imposing punishment. The end result? Overflowing prisons and no reduction in drug use.

The amount we spend on keeping people in jails and prisons increases steadily, but those facilities can’t keep up. Incarcerated people across the state may be housed in unsafe, unconstitutional conditions without adequate access to the medical and mental health care mandated by law.

The poor have little chance of justice. The ACLU of Montana worked hard to win a settlement in *White v. Martz*, the lawsuit that resulted in the creation of a statewide public defender system. Today, however, public defenders are overworked, underpaid, and have too little time and too few resources to adequately defend the poor.



*Zeke Edwards, ACLU National Criminal Justice Reform Project Director, will be the keynote speaker at the ACLU of Montana’s Annual Meeting, discussing overincarceration, the failed “War on Drugs” and other problems and potential solutions within the American criminal justice system.*

The ACLU is committed to working toward a system that provides true justice for all. Criminal justice reform will be the focus of this year’s ACLU of Montana Annual Meeting. Our keynote speaker, Ezekiel Edwards, is director of the ACLU’s National Criminal Law Reform Project. As a project director, and previously as a staff attorney, Zeke works on cases and campaigns on a wide variety of issues, including protecting medical marijuana laws, challenging juvenile life without parole sentences,

**Zeke Edwards**

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**Annual Meeting**  
Saturday | March 7 | 11-5  
Gateway Center, Helena  
See back cover for details  
*Register at [aclumontana.org](http://aclumontana.org)*  
*Questions? Call (406) 443-8590*

**UM Law School**  
Thursday | March 5 | 7 pm  
Room 101  
Free and open to the public

ending abusive police and prosecutorial practices, reforming indigent defense systems, and reducing excessive sentencing. His briefs in United States Supreme Court cases cover a wide array of Fourth, Fifth, and Sixth Amendment issues.

Prior to joining the ACLU, Zeke was a staff attorney at the Innocence Project and a leading national expert on eyewitness identification reform, a public defender at the Bronx Defenders, a Criminal Justice Fellow at the Drum Major Institute of Public Policy, and an investigator at the Capital Defender Office in New York. Zeke earned his J.D. at the University of Pennsylvania Law School, where he was a Public Interest Scholar, and earned his B.A. with honors at Vassar College.

Please join us to hear Zeke’s presentations.

**ISSUE HIGHLIGHTS**

<i>Criminal Justice</i> ..... 1	<i>Marriage Equality Comes to Montana</i> .... 6
<i>Traveling Hopefully</i> ..... 2	<i>More than Marriage</i> ..... 8
<i>President’s Column</i> ..... 3	<i>Donor Profile</i> ..... 9
<i>ACLU Nation</i> ..... 4	<i>Slate of Candidates</i>
<i>Public Defender Update</i> ..... 5	<i>and Voting Instruction</i> ..... 10
	<i>Announcement of Annual Meeting</i> ..... 12

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three times a year.

**Scott Crichton**, Publisher

**Ninia Baehr**, Editor

## Traveling Hopefully

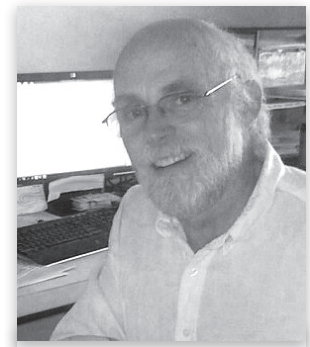
No, it is not déjà vu all over again, though at first glance the 2015 annual meeting agenda might make you think it is. As you may recall, last year's annual meeting was cancelled because of the blizzard that paralyzed the state. This year the location has been moved from Missoula to Helena, but the focus and theme of the meeting are much the same.

We are most fortunate to have Ezekiel Edwards, Director of the ACLU Criminal Law Reform Project as our luncheon keynote speaker on Saturday, March 7th. (We also have booked Zeke for a presentation at the University of Montana on Thursday, March 5th.)

As a prelude to Zeke's presentation providing a national perspective, I will be presenting my annual "State of the Union" address for the last time. I've given notice that I will be retiring in August of this year after 27 years of service.\* I see the annual meeting as a great opportunity for the board and staff to meet with members and engage in meaningful discussions on hot topics of the day in our round table discussions. There will also be reports from Jim Taylor, our legal director, and Niki Zupanic, our public policy director, about our legal and legislative agendas. I'm hopeful that many of our friends and allies will make an effort to attend.

These are exciting times especially pertaining to issues relating to combating America's addiction to overincarceration, one of ACLU's top priorities. Incarceration rates have started to decrease for the first time in decades, albeit at a glacial pace. The reduction of the incarceration rate is largely fueled by the financial realities and burdens of housing a historic number of prisoners at local, state, and federal levels.

Last October President Obama tapped the then deputy legal director of the American Civil Liberties Union, Vanita Gupta, to head the Department of Justice's Civil Rights Division. Attorney General Eric Holder praised Gupta's "trailblazing work" as a civil rights lawyer, and said she "...has spent her entire career working to ensure that our nation lives up to its promise of equal justice for all." Conservative leaders including Grover Norquist, former president of the National Rifle Association David Keene, and Marc Levin, who is policy director for the conservative criminal justice reform organization Right on Crime, are among Gupta's supporters. Gupta,



### Traveling Hopefully

Scott Crichton  
Executive Director

like Zupanic, consciously reaches across partisan divides to find common ground where people seeking reform—people from the left and the right—can work together.

Fed up with soaring prison costs from the War on Drugs and Three Strikes laws, last November 60% of California voters approved Proposition 47, the Reduced Penalties for Some Crimes Initiative, which reduces the classification of most "non-serious and nonviolent property and drug crimes" from a felony to a misdemeanor. That is a good omen, as are criminal justice reforms in "red states," like Texas and South Carolina, that have shown how reducing prison populations can also reduce cost and crime. One unlikely supporter of Prop 47 was Newt Gingrich, who wrote, "Obviously, we need prisons for people who are dangerous, and there should be harsh punishments for those convicted of violent crimes. But California has been overusing incarceration. Prisons are for people we are afraid of, but we have been filling them with many folks we are just mad at..."

Keeping in mind former Speaker of the U.S. House Tip O'Neill's assessment that "All politics is local," what can we do in Montana to begin to come to grips with overincarceration? Montana ACLU has a number

of projects in the works to address overincarceration from the bottom up. We see jail reform as a fundamental step toward more global criminal justice reform.

Most law-abiding citizens have little cause to be concerned about jails. Many people's first awareness of conditions of confinement comes when they discover that someone they know, a friend or relative, is behind bars. Jails are distinct from prisons in a number of ways. They are intended to hold people for a relatively short period of time, usually under a year, and generally house people who are charged with a crime and are waiting to be adjudicated. In Montana, jails are administered as a function of county government by elected sheriffs and their designees who often lack enough support from their county commissioners to adequately fund operations and maintain facilities.

County detention centers often house people who are on the front-end of the criminal justice system, such as those who are still in pretrial detention. Consequently, those facilities can be addressed with different measures than those designed for state or federal prisons. County detention centers can improve through coercion, such as litigation, or through collaboration between entities with shared goals. We are eager to work with counties to improve detention center conditions, streamline local criminal justice policies, and help make counties more

effective at screening, prosecuting, and housing the accused and convicted at local levels. The ACLU of Montana helped Custer County officials come to grips with their deplorable and antiquated facility by passing a successful bond measure to renovate its facilities. Currently we are working with Lewis & Clark County to assess options for pretrial release and other options for reducing their chronically over-crowded facility.

Last fall we published our report *Reproductive Lockdown: An Examination of Montana Detention Centers and the Treatment of Pregnant Prisoners*, which assesses how women detainees' health care options vary widely from county to county. The report can be found at [aclumontana.org](http://aclumontana.org). As I write this, we are going to the printer with a more comprehensive assessment, *Locked in the Past: Montana's Jails in Crisis*, available at [aclumontana.org](http://aclumontana.org).

This report provides a detailed overview identifying conditions of confinement in county detention centers throughout Montana and providing recommendations for how counties might improve on those conditions. The study utilized a three-prong methodology, including touring jails, interviewing administrators and prisoners, and sending a mixed-method questionnaire to all jail inmates in the state.

We seek dialogue with stakeholders in counties where new construction and/or expansion of detention facilities are being considered in order to help decision makers not over-build facilities to which we will be obligated for generations to come. We welcome help from any of our members who would like to assist us in their home counties. Feel free to contact me by e-mail [scottc@aclumontana.org](mailto:scottc@aclumontana.org) or by phone (406) 443-8590.

\*A search committee is in place and a job announcement is posted at [aclumontana.org](http://aclumontana.org).

## President's Column | Judy Hart, President of the Board



*Judy Hart and  
her dog Courage*

It is an honor to be a card carrying member of the ACLU. Since serving on the Board of Directors I have experienced just how much the ACLU does to protect our civil liberties. No organization is better equipped to uphold our country's constitutional principles.

As a librarian, I was drawn to the ACLU several years ago because of the organization's long history of protecting intellectual freedom and privacy rights as well as uninhibited access to information. The ACLU of Montana was and is prepared to defend these rights when my library and other libraries across the state face book challenges.

In response to the steady flood of new technologies, protecting our privacy in the digital age is a high priority for the ACLU. Montana was the first state to require state and local law enforcement to get a search warrant before accessing cell phone and mobile device location

data. Montana was also one of the first states to require search warrants for state and local police to use drones to monitor citizens.

Although Montana has made strides to protect our privacy, there is still work to do here and at the national level. There are already pro-privacy bills before the 2015 Legislature, many of them based on ACLU of Montana suggestions. Across the country the ACLU is working to establish a 21st-century Fourth Amendment that will end mass data collection at the federal level, return to targeted surveillance based on individual suspicion, expand the right to information privacy, and limit surveillance by local law enforcement.

In addition to efforts to protect and preserve privacy rights, the ACLU of Montana works tirelessly to defend rights on many fronts: reproductive freedom, racial justice, LGBT rights, women's rights, voter rights, fair treatment of immigrants, and criminal justice and jail/prison reform. 2014 was a banner year for the ACLU of Montana. This issue of the newsletter highlights recent successes and the ongoing work of our affiliate.

As incoming president of the Board of Directors of the ACLU of Montana I feel it is critical that the leadership of this great organization continues to reach out to new members, encourage the involvement of more young people, and support the work of the incredible staff. To learn more about the work of the ACLU of Montana please join us in Helena for the Annual Meeting on Saturday, March 7. With your support and engagement, we will successfully protect and advance the core values of freedom, justice, equality and democracy that make this country great.

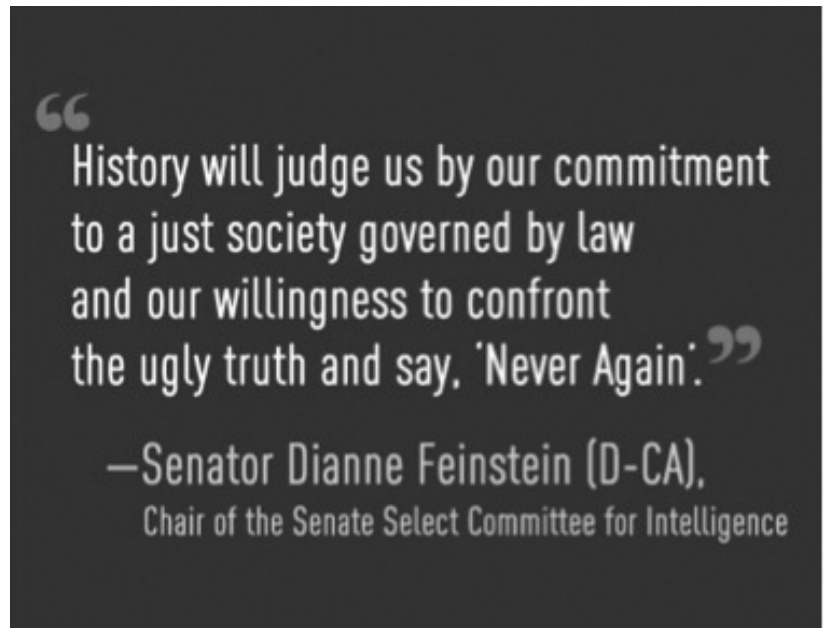
## ACLU NATION

On December 9, 2014, the Senate Intelligence Committee released the summary, conclusions, and findings of its landmark 6,000-page torture report. The brutality depicted in the document cannot be met with inaction.

Our government’s embrace of torture as official state policy shattered lives, profoundly damaged our nation’s reputation, and compromised our national security as well as our diplomatic efforts to promote human rights. The long-awaited release of the summary of the Senate Intelligence Committee’s report provides our country with an opportunity to reckon with human rights abuses of the past. It offers a chance to demonstrate our national commitment to the rule of law and to provide long-overdue accountability for the Bush administration’s illegal torture program.

Shortly after entering office, President Obama took important steps to dismantle the torture program. In the following years, however, his administration undermined that early promise by thwarting accountability for torture. It succeeded in extinguishing lawsuits brought by survivors of U.S. torture and secret imprisonment. It fought to keep secret many documents that would allow the public to understand the extent of the abuse. And it failed to conduct robust investigation of torture architects and perpetrators.

The Obama Administration can begin to redress the abuses perpetrated in our names, comply with U.S. obligations under international law, and help ensure that the U.S. never tortures again.



### ACLU “BLUEPRINT FOR ACCOUNTABILITY”

**Appoint a Special Prosecutor:** The attorney general should appoint a special prosecutor with full authority to conduct an independent and complete examination of the previous administration’s torture program. If there is sufficient evidence of criminal conduct, the offenders should be prosecuted. No one should be above the law.

**Reform the CIA:** By taking two key steps, Congress and the President can ensure that the CIA never again engages in torture or unlawful detention. First, Congress must permanently ban the CIA from operating any detention facility or holding any person in custody. Second, Congress should subject the CIA to the

same interrogation rules that apply to the military.

**Provide Apology and Compensation:** To comply with international law, the Obama administration should appoint an independent body to provide compensation and rehabilitation services to torture victims.

**Honor Courage:** The U.S. government should formally honor public servants, especially members of the military and the CIA, who stayed true to our most fundamental ideals when our official policy went off course.

**Provide Transparency:** The Obama administration should release still-secret records that would shed more light on the extent of U.S. government abuse, and on the responsibility of senior officials in ordering it.

## Public Defender Update

The 2015 legislative session is upon us and funding for the public defender system is one of the more important issues the Legislature must decide. Our public defender system has been chronically underfunded since its inception 10 years ago. Every year the caseloads for the Office of Public Defender (OPD) increase, but the budget fails to keep up with those increases. Every year OPD must request supplemental funding from the Legislature. The individuals in the system charged with crimes, those awaiting mental health commitment proceedings, and families in crisis do not receive adequate representation, court hearings and trials are constantly continued causing additional burdens on the victims of crime, the workload for defense attorneys is debilitating, and the justice system suffers.

During the 2013 session OPD requested a budget of \$69,010,663 for the biennium, and 66 new paid positions, called FTE's, short for "full-time equivalents." Not all the new FTEs requested were attorneys; many were support staff. The Governor reviewed the request but approved a budget of only \$53,539,924, and 37

new FTEs. At the time of the 2013 session, OPD already had on staff 11 "modified" FTEs. A modified FTE is a temporary employee working full time, but whose status as a permanent employee has not been approved by the Legislature. The Legislature must approve both the total budget for each agency and the number of FTEs they may hire. The 2013 Legislature funded \$53,026,198 for the 2013-2015 biennium and 8 new FTEs. This cut OPD's workforce by three employees since at the time OPD had 11 modified FTEs on staff.

Coming into the 2015 session OPD requested a budget for the 2015-2017 biennium of \$70,840,209, and 89.5 new FTEs (they ran a deficit of approximately \$7,000,000 this past biennium, and already have 23.5 modified FTEs on their workforce). The Governor is recommending a budget for the biennium of \$68,270,812 and 38.5 FTEs. Since OPD already has 23.5 modified FTEs on staff, this would only represent an increase of 15 FTEs over the next two years. OPD continues to be overwhelmed with increasing caseloads that they cannot control. Although the Governor's budget



*Jim Taylor*  
Legal Director

approaches what OPD requested, the Governor has done OPD a disservice by including only 43% of the FTEs requested by OPD. If caseloads continue to increase as they have consistently done in recent years, there will be insufficient staff to handle the cases, leaving OPD with either having to again add on modified FTEs hoping that the 2017 Legislature will approve them or contracting out the services at a much higher cost than if the work were done by OPD. The Constitution requires the Legislature to stop kicking the can down the road, and both adequately fund OPD and provide OPD the staff it needs to do the job.

## Guantánamo Diary by Mohamedou Ould Slahi



Slahi—an ACLU client—made history by publishing the first book ever written by a current Guantánamo detainee. Although he never took part in any hostilities or posed any threat to the US, Slahi has been unlawfully imprisoned for 13 years. His memoir is a terrifying personal story of abduction, detention, and torture in four countries. It is an American story, and it is ongoing. We urge you to read the book and to join the ACLU in telling our government to free Slahi now.

## Marriage Equality Comes to Montana!

In a victory for equality, the U.S. District Court of Montana ruled on November 19 in the case of *Rolando v. Fox* in favor of four same-sex couples represented by the ACLU of Montana in their quest to marry in Montana or have their marriages recognized by the state. ACLU staff worked with county clerks to make sure that, starting November 20, obtaining a marriage license was a smooth process for same-sex couples. Statewide, 47 couples from 13 counties obtained licenses the day after the Court ruling. In Billings, Butte, Bozeman, Helena, Missoula, and Great Falls, ACLU staff, members, and volunteers were on hand to officiate weddings, take photos, and help couples celebrate.

The first day of marriage equality in our state was a joyous occasion for same-sex couples and their friends and families across the state as well as for the ACLU. “It was a great day for Montana,” says ACLU of Montana Executive Director Scott Crichton. “The ACLU worked for decades to ensure the rights of LGBT people are protected and respected. We’re humbled to be part of this history.”

The ACLU has long been at the forefront of LGBT equality efforts. In 1970, the ACLU filed the country’s first freedom-to-marry lawsuit. Since then the ACLU has filed marriage lawsuits across the country, fought for same-sex marriage at the ballot box, and in 2013 helped Edie Windsor take down the core of the Defense of Marriage Act before the Supreme Court.

In 2002 we brought the suit *Snetsinger v. Montana* against the Montana University System, the Montana Board of Regents and the State of Montana for failure to allow access to health insurance for same sex partners of the University System employees and won. In 2009, our case, *Kulstad v. Maniaci*, established the right for same-sex parents and their children to continue their relationships following a break-up between parents. And in 2010, five Montana couples paved the way for the marriage victory when we filed the domestic partnership case, *Donaldson and Guggenheim v. State of Montana*, in state court.

Angie Rolando, one of the plaintiffs in *Rolando v. Fox*, wrote a blog celebrating marriage equality saying, “Calling Tonya my partner, my significant



*Don Henderson and Martin Andrews in Great Falls*

other, my girlfriend, my perpetual fiancée has never done justice to our relationship. Now I can look forward to the day when I can introduce Tonya as my wife.”

District Court Judge Brian Morris ruled that Montana’s constitutional amendment limiting marriage to between a man and a woman violated the Equal Protection Clause of the 14th Amendment to the U.S. Constitution. In October, the Ninth Circuit Court ruled in a unanimous opinion that Idaho and Nevada’s bans on marriage for same-sex couples were unconstitutional. Montana is part of Ninth Circuit and Judge Morris cited the Circuit Court’s opinion in his ruling.

“This case is about equality,” says ACLU of Montana Legal Director Jim Taylor. “Every committed, loving couple has an equal right to the legal protections and respect that marriage brings. This ruling takes that constitutional principle of equal protection and makes it a reality in Montana.”

Couples in the ACLU’s lawsuit challenging Montana’s marriage amendment were Angie and Tonya Rolando of Great Falls, Shauna and Nicole Goubeaux of Billings, Ben Milano and Chase Weinhandl of Bozeman, and Susan Hawthorne and Adel Johnson of Helena. We applaud their courage in standing up for equality. Loving, committed same-sex couples across the state now need only go to their county courthouse to get a marriage license to be wed.

“My every day is her,” says Angie Rolando of her partner Tonya. “I can’t think of a part of my life without her connected to it.”

They aren’t alone. Same-sex couples across Montana want to make a promise in front of family and friends to love and care for one another. Marriage is the way to commit to a lifetime together – the ups and downs, the good and bad.



*Shaun Phoenix and Stormi Oshun in Bozeman*

Across the country, federal courts are ruling there are no sound reasons to deny same-sex couples the freedom to marry. At the same time, public support for marriage equality is growing — both across the nation and in Big Sky Country.

“It isn’t the government’s place to stand in the way of someone’s happiness,” says Jim Taylor. “It’s the government’s place to provide equal protection under the law. Excluding same-sex couples from marriage is a clear violation of our nation’s guarantee of equal protection. Every couple should have the freedom to marry and to have the legal protections to care for one another that marriage provides.”

“We want Aden to grow up knowing that we are a family like any other family,” says Shauna Goubeaux of her and wife Nicole’s 1-year-old son. The two married in Iowa, but that marriage was not recognized in Montana. “Marriage is part of being a family. By being plaintiffs in this case we are showing him his mommies will stand up for what is right and stand up for him.”

“An amazing change has taken place over the past few years as more Americans embrace the idea that same-sex couples should have the freedom to marry,” says



*Dan Hance and Bert Pezzarossi with their six children in Billings*

Elizabeth Gill, staff attorney with the ACLU Lesbian Gay Bisexual and Transgender Project. “Montana is joining the nationwide march toward equality for all loving and committed couples.”



*Linda Gryczan and Constance Enzweiler with Niki Zupanic, Justice Jim Nelson, and Holly Franz in Helena*



*ACLU Development Director Kileen Marshall officiates the marriage of Amy Gentry and Robin Childers. Photo courtesy of Slikati Photography, Missoula.*



*Heidi and Kara Kestral with their son Luken and Justice of the Peace Karen Orzech in Missoula*



*Amber Bradshaw and Eloise Parker in Butte*

## More than Marriage

November 20 became a popular date to add to family calendars last year when it became the wedding date for dozens of couples who had been waiting their whole lives for the ability to marry the person they love. It was the first day that same-sex couples could legally marry in the state of Montana after the ruling in our *Rolando v. Fox* case.

November 21, though, brought those couples back to the heartbreaking status quo when it comes to being protected from discrimination on the job, in housing, and when patronizing a business. Montana is one of a shrinking number of states that does not include sexual orientation and gender identity and expression in its existing non-discrimination laws. Fortunately, four cities (Butte, Bozeman, Helena, and Missoula) have stepped up to fill the gaps in state and federal law by adopting local ordinances that protect LGBT Montanans. For decades the ACLU has partnered with other advocates to update our state law so that all Montanans will be able to work, rent a home, or buy goods and services without fear of being fired or kicked out just for

being gay or transgender.

Resistance to updating our statewide non-discrimination laws has frequently cited the red herring that such laws do not adequately protect religious freedom. And now that marriage equality has come to Montana we're seeing even more misinformation, calls to allow government officials and business owners to discriminate, and even a new push to rewrite the Montana Constitution. A bill up for consideration this session would place a "Religious Freedom Restoration Act" on the November 2016 ballot. If that bill title sounds familiar, it might be due to the federal version that led to the decision in the Hobby Lobby case that allowed a corporation to refuse to provide contraceptive coverage in its employees' health plans.

These types of bills allow people to take advantage and claim that their religious beliefs give them the right to ignore state and local laws. For example, it could allow people in Montana to decide that non-discrimination ordinances, child abuse laws, and fair wage laws don't apply to them. It could allow government officials to walk away from a gay couple who approaches the marriage license counter and it could allow businesses to hang a "no gays" sign in the window.

Government offices that are open to the public should be open to everyone on the same terms. People should not be denied access to public services simply because of who they

are or whom they love. Government officials who have sworn an oath to serve the public shouldn't be able to pick and choose whom they are going to serve based on their religious beliefs. When our laws are updated or changed, government officials have a duty and responsibility to impartially administer those laws.

And businesses that are open to the public should be open to everyone on the same terms. People should not be turned away from a business, fired from a job, or evicted from their home just because of who they are. Providing commercial services doesn't mean a business owner is endorsing anyone's marriage or agreeing with everything the customer believes. It simply means they are open to every customer on the same terms.

Freedom of religion is one of our most fundamental rights as Americans. That's why it is well protected in our state and federal constitutions. That freedom, however, doesn't allow any of us to harm others. When it comes to being able to earn a living or put a roof over your family's head, gay and transgender people should be treated like everyone else and not discriminated against.

The fight for LGBT equality is far from over. Recognition of same-sex relationships through marriage is just one aspect of ensuring that LGBT people can live full lives. It's about more than marriage. And we're going to keep doing the work to pave the path to full equality in all aspects of LGBT Montanans' lives.



*Niki Zupanic, Public Policy Director*



## DONOR PROFILES

### A Family Tradition

The Howell family has been involved with the ACLU for a combined 50 years calculating all the time Joe, Jane, and now grown children Chris and Sarah have been card-carrying members. “It is an honor to support an organization that fights for justice, equality, and freedom every day,” says Joe.

Joe, who will soon be retiring from the ACLU of Montana Board of Directors, served as a professor and Chair of the Math Department at MSU-Billings from 1984 until his retirement in 2008. As a math professor, Joe has a great interest in how mathematics and statistics are used as evidence in the judicial system. He has noticed how the increased reluctance of the courts to accept statistical evidence of racial discrimination has affected capital punishment cases since the late 1980s. He first became involved with the ACLU in 1985 when he testified in a voting rights trial related to Native American rights, *Windy Boy v. Big Horn County*, which the ACLU won. Joe recently told us that “...that opportunity to associate with other ACLU members

and staff has come with great personal benefit; attending each year’s Annual Meeting, for instance, will renew your faith in the prospects for our democracy and re-charge your progressive batteries.”

Jane, a native Brit, served as Director of Library Services at MSU-Billings from 1990 until her retirement in 2010. Throughout the years, Jane and Joe had a presence in the MSU-Billings campus community, stepping far beyond the call of duty, immersing themselves in a variety of important causes, both on and off campus. Jane’s mantra was always “life is more than what you do for a living.” She felt passionately about her involvement with the ACLU, Yellowstone Public Radio, and creating opportunities and support for young women in science. Her community engagement gave her energy and a zest for life.

Between the late 1990s and today, Joe and Jane took turns serving on the ACLU of Montana Board of Directors. Sarah, in her thirties, plans to continue the family legacy by joining the ACLU Board in March.



*Jane and Joe*

“In our family, believing in justice was only the first step—there’s concrete work to do every day to make change happen. Joining the ACLU Board is one way I can continue the effort my parents put so much of their time and energy towards,” states Sarah. Even Sarah’s career path has kept her in the social justice family. Since 2012, Sarah has served as Executive Director of Montana Women Vote, a coalition of nonprofit organizations working statewide to educate and mobilize low-income women and their allies to participate in the democratic process as informed voters, policy advocates, and community leaders. Sarah, her partner Candice Haster, and their son Adrien live in Missoula.

The Howell family exemplifies how civil liberties, involvement, and philanthropy can be treasured as a family value and legacy to pass on to the next generation. Adrien may only be a tot, but we look forward to welcoming him to the extended ACLU family soon!



*Candice and Sarah*



*Adrien*

## Who Can Vote: ACLU Board of Directors

The bylaws of the ACLU of Montana call for a Board of Directors that is elected by our general membership. It is your non-tax-deductible membership dues payable to the ACLU, not donations to the ACLU of Montana Foundation, that make you eligible to vote. Only current ACLU members may vote.

Your mailing address for this newsletter indicates on the top line if you are a current member of the ACLU and eligible to vote. One of three options indicating your voting status will appear on your mailing label:

- “Vote”: You are eligible to vote using one column of the ballot.
- “Joint Vote”: You share a joint membership with another member in your household. Each member may use one row on the ballot.
- Only your address: You may either be a donor to the ACLU of Montana Foundation, and not a member of the ACLU, or your ACLU membership may not be current. If you have recently renewed your membership, please return your ballot with a note indicating your recent renewal so we can verify that your membership is current. If you would like to become a member or renew your membership so you are eligible to vote, you may submit a check for your membership with your ballot. Individual memberships are \$20 a year; joint memberships are \$35.

## Slate of Candidates



### Sheila Bonnard—Bozeman

As a librarian, Sheila Bonnard is concerned with intellectual freedom, censorship, and privacy rights. As a citizen, she is concerned that individual rights are at risk in the current political climate. Sheila first joined the ACLU of Montana Board in 2004, eventually becoming Board Chair. After nine years of board service and a brief hiatus in which she

continued to act as an ambassador for the organization, Sheila is renewing her commitment to the ACLU of Montana as a board candidate. She brings with her more than a decade of experience stewarding the organization.



### Sarah Howell—Missoula

Sarah Howell is the Executive Director of Montana Women Vote. In her professional capacity, she often collaborates with ACLU staff and partners on social justice issues. Having grown up in Montana in a family of ACLU supporters (see Donor Profile, page 9), she states, “The vision and work of the ACLU of Montana align with my professional and personal

values.” Sarah brings strong skills in policy advocacy, coalition building, and community organizing on issues including but not limited to reproductive freedom and voting rights.



### Tamara (Tam) Miller—Bozeman

Tamara Miller is a retired librarian who served most recently as the Dean of the Library at Montana State University. A long-time member of the ACLU, she has served on numerous Intellectual Freedom committees of library associations and has an abiding interest in free speech, privacy, and unfiltered

access to online information. “At a time when civil liberties are increasingly sacrificed in the name of greater security, it is more important than ever that we defend our fundamental civil rights,” says Tam. First elected to the ACLU of Montana Board in 2011, she has served the organization in multiple ways including facilitating public education sessions on civil rights, supporting the non-discrimination ordinance protecting LGBT rights in Bozeman, and chairing the Finance and Audit Committee for the affiliate.



### Natascha Quimby—Bozeman

Natascha Quimby was born in Germany to an American soldier and a Dutch mother. She moved to Great Falls at age eight when her father was stationed at Malmstrom Air Force Base. Natascha attended the Montana State

University (MSU) College of Technology in Great Falls and eventually transferred to MSU in Bozeman, where she became involved with the Queer-Straight Alliance (QSA). She remains actively involved with QSA, helping to promote LGBT equality on- and off-campus. She produces many of the social events that the QSA organization hosts, most notably the Revolution Charity Drag Show which raises money to benefit local nonprofits. Natascha worked as a Certified Pharmacy Technician in retail and hospital pharmacies. She parlayed her experiences in healthcare and with the LGBT community into advocating for open and honest education about healthy

## Instructions:

**Voting Instructions:** Six candidates are running for six seats on our Board. You may vote for up to six candidates. You cannot cast more than one vote for any candidate even if you vote for fewer than six candidates.

If you share a joint membership with another member—indicated by “Joint Vote” on your mailing label—you may each vote for up to six candidates by using both of the rows provided on the ballot.

### Mailing Instructions:

After marking your ballot:

1. Clip this section from the newsletter, keeping your mailing label attached for verification of voter eligibility.
2. Using your own envelope return your ballot to:

ACLU of Montana  
PO Box 1317  
Helena, MT 59624

Only your current ACLU membership is required for your ballot to be counted; no additional donation is required.

3. Stamp and mail.

### Confidentiality

If you would like to ensure the confidentiality of your ballot, remove your mailing label and fold your ballot. Put your ballot and mailing label into an envelope and mail to the ACLU of Montana at the address indicated above. We will separate your mailing label before we count your ballot.

### Deadline:

In order for your ballot to be counted, your ballot must be mailed by February 23rd.

### BALLOT: One vote per member

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> <input type="checkbox"/> Sheila Bonnard | <input type="checkbox"/> <input type="checkbox"/> Alex Rate               | <input type="checkbox"/> <input type="checkbox"/> Tamara (Tam) Miller |
| <input type="checkbox"/> <input type="checkbox"/> Sarah Howell   | <input type="checkbox"/> <input type="checkbox"/> Elisabeth (Libby) Smith | <input type="checkbox"/> <input type="checkbox"/> Natascha Quimby     |

sexuality and provides public education and unbiased consultations as the head buyer at the local adult boutique. Appointed to the ACLU of Montana Board in 2013 to fill a vacancy, she has served on the affiliate’s Development Committee and looks forward to continuing her work with the ACLU of Montana in future.



#### Alex Rate—Livingston

Alex Rate is a member of the State Bar of Montana, the U.S. District Court for the District of Montana, and the Montana Trial Lawyers Association. His practice, Rate Law Office, serves clients throughout the state. Alex

has litigated numerous cases regarding discrimination on the basis of disability, age, sex, and race before the State Human Rights Bureau. He also served as local council on a voting rights case, *Wandering Medicine v. McCulloch*, in which the ACLU was an amicus and which established

satellite voting locations on three American Indian reservations in Montana. In addition, he worked on behalf of inmates to reform medical practices in jails. “The ACLU’s priorities mirror my personal and professional values,” says Alex. He is especially interested in criminal justice reform (including abolition of the death penalty), voting rights, reproductive freedom, and LGBT equality.



#### Elisabeth (Libby) Smith—Polson

Elisabeth Smith is a retired educator. In addition to earning a Master of Education degree from Harvard University and working for many years as an elementary school teacher, she has a long history of working with nonprofit and voluntary organizations, including serving as president of the parent-teacher association at her children’s high school. “I bring a

lay perspective and common sense to matters of importance to the ACLU,” Libby says, “and contributing to the equal and just treatment of all individuals is important to me.” Appointed to fill a Board vacancy in 2014, Libby has served on, and is beaming chair of, the Governance and Nominations Committee.



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Spring 2015

## 2015 ACLU of MONTANA ANNUAL MEETING

Featuring ACLU National  
Criminal Justice Reform Project Director  
Zeke Edwards

**Saturday, March 7, 11:00 am - 5:00 pm**  
**Registration at 10:00 am**  
**Gateway Center**  
**1710 National Avenue, Helena**

Please RSVP by February 20 to  
ACLU of MT, PO Box 1317, Helena, MT 59624-1317  
Or register at [aclumontana.org](http://aclumontana.org)  
*Registration is \$25 and includes buffet lunch and workshops*  
*Scholarships Available*

Questions? Call (406) 443-8590